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06 UNITED STATES DISTRICT COURT  
07 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

08 UNITED STATES OF AMERICA, )  
09 Plaintiff, ) CASE NO. MJ 12-154  
10 v. )  
11 JUAN ELIZANDO-MARTINEZ, ) DETENTION ORDER  
12 Defendant. )  
13 \_\_\_\_\_ )

14 Offense charged: Conspiracy to Distribute Controlled Substances

15 Date of Detention Hearing: April 4, 2012.

16 The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and  
17 based upon the factual findings and statement of reasons for detention hereafter set forth, finds  
18 that no condition or combination of conditions which defendant can meet will reasonably  
19 assure the appearance of defendant as required and the safety of other persons and the  
20 community.

21 FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

- 22 1. Defendant is reportedly a citizen of Mexico.

01           2.       The United States alleges that his presence in this country is illegal. There is an  
02 immigration detainer pending against him. The issue of detention in this case is therefore  
03 essentially moot, as the defendant would be released to immigration custody if not detained in  
04 this case.

05           3.       Upon advice of counsel, defendant declined to be interviewed by Pretrial  
06 Services. Therefore, there is limited information available about him.

07           4.       There does not appear to be any condition or combination of conditions that will  
08 reasonably assure the defendant's appearance at future Court hearings while addressing the  
09 danger to other persons or the community.

10 It is therefore ORDERED:

- 11       1. Defendant shall be detained pending trial and committed to the custody of the Attorney  
12       General for confinement in a correction facility separate, to the extent practicable, from  
13       persons awaiting or serving sentences or being held in custody pending appeal;
- 14       2. Defendant shall be afforded reasonable opportunity for private consultation with  
15       counsel;
- 16       3. On order of the United States or on request of an attorney for the Government, the  
17       person in charge of the corrections facility in which defendant is confined shall deliver  
18       the defendant to a United States Marshal for the purpose of an appearance in connection  
19       with a court proceeding; and
- 20       4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel  
21       for the defendant, to the United States Marshal, and to the United State Pretrial Services  
22       Officer.

01 DATED this 4th day of April, 2012.

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04 Mary Alice Theiler  
05 United States Magistrate Judge  
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